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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,169	08/06/2001	Donald B. Ford	MFS-31613-1	8640

7590 06/25/2002

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EXAMINER

JOHNSON, STEPHEN

ART UNIT	PAPER NUMBER
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3641

DATE MAILED: 06/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.	Applicant(s)	
09/922,169	FORD, DONALD B.	
Examiner	Art Unit	
Stephen M. Johnson	3641	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 2,4,5,13 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-12 and 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-17 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: \_\_\_\_\_

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1. Applicant's election without traverse of species A in Paper No. 4 is acknowledged.

Claims 1, 3, 6-12, and 14-16 read on the elected invention and an action on these claims follows. Claims 2, 4-5, 13, and 17 are withdrawn from consideration as being directed to non-elected species.

2. Claims 1, 3, 6-12, and 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 10, and in claim 9, lines 6-7, use of the phrases "perpendicular axis" and "first penpendicular axis" make the claims indefinite as to what structure is intended to be perpendicular to the claimed axes. In claim 10, use of the phrase "a second perpendicular axis" makes the claim indefinite as to what structure is intended to be perpendicular to the claimed second axis. In claim 15, use of the phrase "a third perpendicular axis" makes the claim indefinite as to what structure is intended to be perpendicular to the claimed third axis.

In claim 12, it is not understood as to how the first and second walls can be considered to be at ninety degrees relative to one another and still be angled obliquely relative to the first penpendicular axis.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the perpendicular axis (see claim 1) with regard to species A; the first penpendicular axis (see claim 9) with regard to species A; the second perpendicular axis (see claim 10) with regard to species A; and the third perpendicular axis (see claim 15) with regard to species A; must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

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A proposed drawing correction or corrected drawings **are required in reply to the Office** action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 6-12, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Minamida et al..

Minamida et al. disclose a cross cell sandwich core structure comprising:

- a) first and second face plates, 3, 4
- b) a plurality of ribbons, and col. 2, lines 37-59
- c) first and second walls. B, D; A, C; 30, 31

6. Claims 1, 3, 6-12, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Czaplicki.

Czaplicki discloses a cross cell sandwich core structure comprising:

- a) first and second face plates, 26, 28
- b) a plurality of ribbons, and fig. 3
- c) first and second walls. 20, 21, 22

7. Claims 1, 3, 6-11, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Ray.

Ray discloses a cross cell sandwich core structure comprising:

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- a) first and second face plates, 16, 20
- b) a plurality of ribbons, and 24
- c) first and second walls. see fig. 1

8. Claims 1, 3, 6-12, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yancey.

Yancey discloses a cross cell sandwich core structure comprising:

- a) first and second face plates, 99, 100, fig. 23, fig. 35a
- b) a plurality of ribbons, and figs. 7, 11, 23, 35a
- c) first and second walls. figs. 7, 11, 23

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Welzen, Snedeker, Sendzimir, and Droste disclose other state of the art structures.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Johnson whose telephone number is 703-306-4158. The examiner can normally be reached on Tuesday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3597 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4177.

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**STEPHEN M. JOHNSON**  
**PRIMARY EXAMINER**

Stephen M. Johnson  
Primary Examiner  
Art Unit 3641

SMJ

June 18, 2002